

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROSEMARY YBARRA,

Plaintiff,

v.

SANTA CLARA COUNTY, and others,

Defendants.

Case No. 23-cv-04079 NC

**ORDER TO PLAINTIFF TO SHOW  
CAUSE FOR FAILURE TO  
PROSECUTE CASE; CONTINUING  
CASE MANAGEMENT  
CONFERENCE TO NOVEMBER 29,  
2023**

This is civil right case that Plaintiff Rosemary Ybarra filed on August 11, 2023. Since filing the Complaint, Plaintiff and her counsel have not advanced the litigation. There is no evidence that they have served defendants with the summons and complaint as required by Fed. R. Civ. P. 4; they did not file a case management conference statement by November 8, 2023, as ordered (Dkt. No. 5); and have not responded to the request to file a form either consenting or declining the jurisdiction of a magistrate judge (Dkt. No. 6).

Accordingly, the Court orders Plaintiff to show cause in writing filed by November 22, 2023, as to why the Court should not dismiss this case for failure to prosecute and for failure to timely serve the summons and complaint under Fed. R. Civ. P. 4(m). The Court also continues the Case Management Conference from November 15, 2023, to November 29, 2023, in person at 11:00 a.m. in San Jose courtroom 5. A Case Management Conference statement must be filed by November 22, 2023.

**IT IS SO ORDERED.**

Dated: November 14, 2023

  
NATHANAEL M. COUSINS  
United States Magistrate Judge